

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

REC'D DEC 19 2024

Zhari J. Walton

(In the space above enter the full name(s) of the plaintiff(s).)

- against -

Montgomery County Community  
College, Equifax, Experian,  
TransUnion, ConServe**AMENDED  
COMPLAINT**Jury Trial: ☐ Yes ☒ No

(check one)

24-CV-6428

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

**I. Parties in this complaint:**

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff

Name

Street Address

County, City

State &amp; Zip Code

Telephone Number

Zhari J. Walton7414 GILBERT STPHILADELPHIAPA, 19138267-539-6721

- B. List all defendants. You should state the full name of the defendants, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant can be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name MONTGOMERY COUNTY COMMUNITY COLLEGE  
 Street Address 340 DEKALB PIKE  
 County, City BLUE BELL  
 State & Zip Code PA, 19422

Defendant No. 2 Name TRANSUNION  
 Street Address 1510 CHESTER PIKE  
 County, City CRUM LYNNE  
 State & Zip Code PA, 19022

Defendant No. 3 Name EXPERIAN  
 Street Address 475 ANTON BLVD  
 County, City COSTA MESA  
 State & Zip Code CA, 92626

Defendant No. 4 Name EQUIFAX  
 Street Address 1550 PEACHTREE ST NW  
 County, City ATLANTA  
 State & Zip Code GA, 30309

## II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

- A. What is the basis for federal court jurisdiction? (check all that apply)  
☒ Federal Questions ☐ Diversity of Citizenship

- B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue? FCRA violations

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship \_\_\_\_\_

Defendant(s) state(s) of citizenship \_\_\_\_\_

### III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? MY CREDIT REPORT

B. What date and approximate time did the events giving rise to your claim(s) occur? BEFORE  
10/23/2023

C. Facts: INACCURATE REPORTING ON MY CREDIT REPORT  
DISPUTE MY PREVIOUS ATTEMPTS TO DISPUTE THE VALIDITY OF  
THIS DEBT AND REQUEST PROPER VALIDATION. I HAVE NOT RECEIVED  
A SATISFACTORY RESPONSE FROM MONTGOMERY COUNTY COMMUNITY  
COLLEGE OR CO-DEFENDANTS DISPUTE GIVING OVER 1 YEAR TO  
RESPOND. THIS PUTS THEM IN DEFAULT DUE TO NONCOMPLIANCE OF  
CONTRACTUAL AGREEMENT VIA THE POSTAL RULE.

MONTGOMERY COUNTY COMMUNITY COLLEGE VIOLATED THE FCRA BY NOT  
DOING DUE DILIGENCE AS A FURNISHER OF INFORMATION, BEFORE  
IGNORANTLY DISPERSING INFORMATION THAT WAS USED TO HARM ME.  
MONTGOMERY COUNTY COMMUNITY COLLEGE BREACHED CONTRACT PRESENTED  
BY RR308330275US THIS HAS PUT THEM IN DEFAULT.

EQUIFAX, EXPERIAN, TRANSUNION AND CONSERVE DEBT COLLECTION  
AGENCY ALL PLAYED VITAL ROLES IN THE HARMING OF MY  
CREDIT

NO ONE

IV. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. NONE

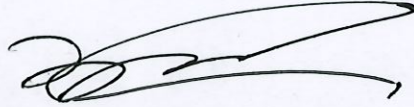
V. Relief:

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation.

I WANT THE COURT TO MAKE THE DEFENDANT ADHERE  
TO THE CONTRACT AND PAY THE INVOICE ATTACHED PLUS AN  
ADDITIONAL \$500,000 FOR WILLFUL NONCOMPLIANCE.  
THE BASIS FOR COMPENSATION TOTALING \$5,981,026.40  
IS THE 10 MAXIMS OF COMMERCIAL LAW AND THE CONTRACTUAL  
AGREEMENT BETWEEN BOTH PARTIES. NOTICE TO AGENT  
IS NOTICE TO PRINCIPAL. CONTRACT PRESENTED BY  
RR308330275 US VIA THE POSTAL RULE.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 19 day of DECEMBER, 2024.



Signature of Plaintiff

Mailing Address 7414 GILBERT ST  
PHILADELPHIA, PA  
19138

Telephone Number 267-539-6721

Fax Number (if you have one) \_\_\_\_\_

E-mail Address Jahlil0728@gmail.com

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.

For Prisoners:

I declare under penalty of perjury that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I am delivering this complaint to prison authorities to be mailed to the Clerk's Office of the United States District Court for the Eastern District of Pennsylvania.

Signature of Plaintiff: \_\_\_\_\_

Inmate Number \_\_\_\_\_



COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA

The undersigned, Zhari J. Walton , being duly sworn, hereby deposes and says:

1. I am over the age of 18 and am a resident of the Commonwealth of Pennsylvania. I have personal knowledge of the facts herein, and, if called as a witness, could testify completely thereto.

2. I suffer no legal disabilities and have personal knowledge of the facts set forth below.

3. NOTICE TO PRINCIPAL IS NOTICE TO AGENT NOTICE TO AGENT IS NOTICE TO PRINCIPAL

4. Affiant is aware it is a fact: a matter must be expressed to be resolved. in Commerce Truth is sovereignty. Truth is expressed in the form of an Affidavit. An un-rebutted Affidavit stands as Truth in commerce. An un-rebutted Affidavit becomes the Judgment in Commerce.

5. Based on my review of Pennsylvania state law, community colleges established within the Commonwealth are considered "political subdivisions" or "local government units" rather than private citizens or corporate entities.

6. Specifically, community colleges in Pennsylvania are governed by the Pennsylvania Community College Act, which establishes them as local agencies affiliated with the county or municipal governments that create them.

7. As public educational institutions, community colleges in Pennsylvania do not possess the same legal standing as individual persons or private businesses. Their rights, obligations, and legal status flow from their designation as political subdivisions, not from any concept of state citizenship.

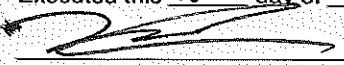
8. Applying these principles, a community college located in Montgomery County, Pennsylvania would likely not be considered a "citizen" of the Commonwealth in the same way an individual resident would be. The college's legal identity and standing is distinct from that of a private citizen.

9. I make this affidavit based on my professional knowledge and research into the relevant Pennsylvania laws and regulations concerning community colleges. The statements herein are true and correct to the best of my knowledge and belief.

Further affiant sayeth not.

I declare that, to the best of my knowledge and belief, the information herein is true, correct, and complete.

Executed this 18<sup>TH</sup> day of DECEMBER, 20 24.

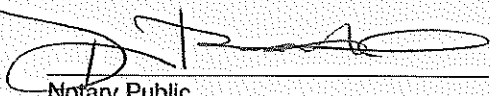
  
Zhari J. Walton

NOTARY ACKNOWLEDGMENT

COMMONWEALTH OF PENNSYLVANIA, COUNTY OF PHILADELPHIA:

On this 18<sup>th</sup> day of December 2024, before me, Denise Payne,  
personally appeared Zhari J. Walton, known to me (or satisfactorily proven) to be the persons whose names are  
subscribed to the within Affidavit, and, being first duly sworn on oath according to law, deposes and says that he/she  
has read the foregoing Affidavit subscribed by him/her, and that the matters stated herein are true to the best of  
his/her information, knowledge and belief.

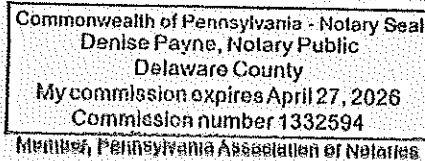
In witness whereof I hereunto set my hand and official seal.

  
Notary Public

Notary public  
Title (and Rank)

My commission expires

April 27, 2026



## **AFFIDAVIT OF TRUTH**

### **COMMONWEALTH OF PENNSYLVANIA COUNTY OF PHILADELPHIA**

**The undersigned, Zhari J. Walton, being duly sworn, hereby deposes and says:**

**1. I am over the age of 18 and am a resident of the Commonwealth of Pennsylvania. I have personal knowledge of the facts herein, and, if called as a witness, could testify completely thereto.**

**2. I suffer no legal disabilities and have personal knowledge of the facts set forth below.**

**3. NOTICE TO PRINCIPAL IS NOTICE TO AGENT NOTICE TO AGENT IS NOTICE TO PRINCIPAL**

**4. Affiant is aware it is a fact: a matter must be expressed to be resolved. in Commerce Truth is sovereignty. Truth is expressed in the form of an Affidavit. An un-rebutted Affidavit stands as Truth in commerce. An un-rebutted Affidavit becomes the Judgment in Commerce.**

**5. The plaintiff has alleged that the College's inaccurate reporting of a disputed debt on their credit reports, and Montgomery County community college's failure to investigate and correct this inaccurate information after being notified by the plaintiff, violates the Fair Credit Reporting Act (FCRA), 15 U.S.C. § 1681 et seq.**

**6. The FCRA imposes specific duties on furnishers of information, such as the College, to investigate and correct**



**inaccurate information reported to consumer reporting agencies (CRAs) like Equifax, Experian, and TransUnion.**

**7. Under the FCRA, if a consumer disputes the accuracy of information furnished to a CRA, the furnisher has a duty to conduct a reasonable investigation and correct any inaccuracies. This duty arises once the furnisher receives notice of the dispute from the CRA, per 15 U.S.C. § 1681s-2(b).**

**8. Based on the 9th Circuit's decision in Syed v. M-I, LLC, 853 F.3d 492 (9th Cir. 2017), a plaintiff can sufficiently plead an FCRA claim against a furnisher by alleging the furnisher failed to reasonably investigate, without needing to specify notification to a CRA. The court reasoned that the FCRA's language focuses on the furnisher's duty to investigate, rather than the consumer's notification to the CRA.**

**9. In the present case, the plaintiff has alleged that Montgomery County community college failed to investigate and correct the inaccurate information on the plaintiff's credit reports, despite being notified by the plaintiff. This is sufficient to state a claim for violation of the FCRA's furnisher duties under the more lenient standard adopted by the 9th Circuit and other courts.**

**10. The plaintiff has also alleged that Equifax, Experian, and TransUnion violated the FCRA by continuing to include the inaccurate information regarding the Montgomery County community college's debt reporting on the plaintiff's credit reports, despite the plaintiff's disputes. This also states a valid claim under the FCRA.**

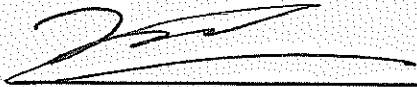
**11. Affiant is aware it is a fact: Continental Service Group, LLC (ConServe (account number 10923230) account number 109232302023-sp), as a debt collector, attempted to collect a**

disputed debt from the plaintiff without verifying the validity of the debt as required under the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. § 1692 et seq. The plaintiff asserts that ConServe has continued collection efforts despite being informed of the disputed nature of the debt, thereby failing to comply with the requirements of the FDCPA.

12. Based on the foregoing, I believe the plaintiff has stated valid claims for violations of the Fair Credit Reporting Act against both the College and the CRAs, as well as a valid claim for violation of the Fair Debt Collection Practices Act against ConServe. The plaintiff should be allowed to proceed with these claims.

I declare that, to the best of my knowledge and belief, the information herein is true, correct, and complete.

Executed this 18<sup>TH</sup> day of December, 2024.



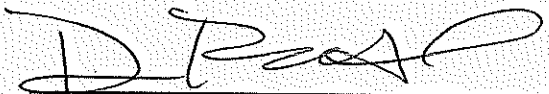
Zhari J. Walton

## NOTARY ACKNOWLEDGMENT

COMMONWEALTH OF PENNSYLVANIA, COUNTY OF  
PHILADELPHIA,:

On this 18 day of December, 2024, before me,  
Denise Payne, personally appeared Zhari J. Walton,  
known to me (or satisfactorily proven) to be the persons whose  
names are subscribed to the within Affidavit, and, being first  
duly sworn on oath according to law, deposes and says that  
he/she has read the foregoing Affidavit subscribed by him/her,  
and that the matters stated herein are true to the best of  
his/her information, knowledge and belief.

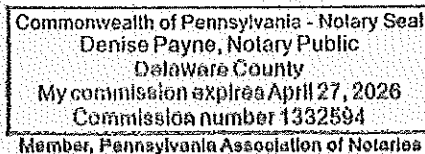
In witness whereof I hereunto set my hand and official seal.



Notary Public

Notary Public

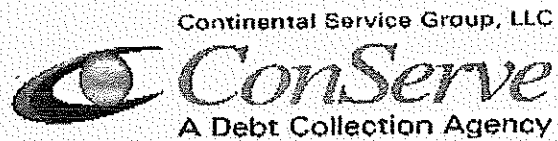
Title (and Rank)



My commission expires

April 27, 2026





200 CrossKeys Office Park  
PO Box 7  
Fairport, NY 14450  
585-421-1011 & 866-518-0400

05/21/2024

Zhari Walton  
7414 Gilbert St  
Philadelphia, PA 19138-1215

**Creditor:** Montgomery County Community College  
**For:** Student Account Balance  
**Creditor ID:** 1093230 2023/SP  
**ConServe ID:** 20409387

Dear Zhari Walton,

Our office is in receipt of your written Identity Theft Claim. In order to forward your Claim to the Creditor, Montgomery County Community College for review and processing, we need additional documentation from you. Please provide the information checked below:

☒ Identity Theft Form Affidavit (attached)  
☒ Police Report

Please return this information to our office at the address shown above. If you have any questions, please feel free to contact us.

Thank you  
Operations Services -Admin

This communication is from a debt collector and is an attempt to collect a debt. Any information obtained will be used for that purpose.